

MINUTES

MONTANA SENATE 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON PUBLIC HEALTH, WELFARE AND SAFETY

Call to Order: By **CHAIRMAN DAN WEINBERG**, on February 5, 2007 at 3:00 P.M., in Room 102 Capitol.

ROLL CALL

Members Present:

Sen. Dan Weinberg, Chairman (D)
Sen. Lynda Moss, Vice Chairman (D)
Sen. John Cobb (R)
Sen. John Esp (R)
Sen. Terry Murphy (R)
Sen. Jerry O'Neil (R)
Sen. Trudi Schmidt (D)
Sen. Carol Williams (D)

Members Excused:

Sen. Kim Gillan (D)

Members Absent: None.

Staff Present: Prudence Gildroy, Committee Secretary
Lisa Mecklenberg Jackson, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 287, 1/31/2007
Executive Action: SB 186; SB 287; SB 182; SB 140

00:00:00

HEARING ON SB 287

Opening Statement by Sponsor:

00:00:45 **SEN. DAN WEINBERG (D), SD 2**, opened the hearing on **SB 287**, Revise uniform anatomical gift act.

Proponents' Testimony:

00:08:14 Diana Clark, CEO, Life Center Northwest Organ Donation Network

00:15:29 Gloria Hermanson, Life Center Northwest, Montana Academy of Ophthalmology, Society of Otolaryngology

00:16:22 Joe Mazurek, self

00:17:41 Pat Melby, Montana Medical Association

00:19:20 Marjorie Allen, Missoula

00:23:30 Jani McCall, Billings Clinic

00:24:28 Winter Michelberry, self

EXHIBIT (phs25a01)

00:32:53 Viola Green, self

EXHIBIT (phs25a02)

00:33:33 Jennifer Knight, Sight Life and Northwest Lions for Sight and Hearing

00:34:59 Jim Phillips, self

EXHIBIT (phs25a03)

Opponents' Testimony: None.

Informational Testimony:

00:38:23 Casey Blumenthal, Montana Hospital Association

Questions from Committee Members and Responses:

00:39:44 Sen. Trudi Schmidt

Closing by Sponsor:

00:40:26 Sen. Weinberg closed on the bill.

00:43:46 recess

00:51:27 reconvene

EXECUTIVE ACTION ON SB 186

00:51:58 **Motion:** SEN. ESP moved that SB 186 DO PASS.

00:52:08 **Motion:** SEN. ESP moved that SB018601.ALG BE ADOPTED.

EXHIBIT (phs25a04)

Discussion:

00:53:49 Sen. O'Neil

00:54:29 Bob Robinson, Montana School Services Foundation

00:54:40 Sen. O'Neil to Bob Robinson, School Services Foundation

00:56:35 Sen. Williams to Sen. Esp

00:56:54 Sen. Weinberg to Sen. Esp

00:58:15 Sen. Schmidt to Sen. Esp

00:59:27 **Vote:** Motion failed 4-5 by voice vote with SEN. COBB,
SEN. ESP, SEN. MURPHY, and SEN. WEINBERG voting aye.
SEN. SCHMIDT voted aye by proxy.

01:00:48 Sen. Esp withdrew his motion

01:01:00 **Motion:** SEN. COBB moved that SB 186 DO PASS.

Discussion:

01:01:03 Sen. Murphy

01:01:58 Sen. Esp

01:03:08 **Vote:** Motion failed 3-6 by roll call vote with SEN.
COBB, SEN. O'NEIL, and SEN. WILLIAMS voting aye.

01:04:51 **Motion:** SEN. O'NEIL moved TO RECONSIDER ACTION ON SB 186.

01:05:16 **Motion:** SEN. ESP moved a SUBSTITUTE MOTION TO TABLE SB 186

01:05:44 **Vote:** Motion carried 8-1 by voice vote with SEN. O'NEIL voting no.

EXECUTIVE ACTION ON SB 142

01:06:01 Sen. Weinberg announced SEN. MURPHY, ESP and MOSS would be on a subcommittee on SB 142.

EXECUTIVE ACTION ON SB 287

01:06:53 **Motion:** SEN. MOSS moved that SB 287 DO PASS.

01:07:12 **Motion:** SEN. WEINBERG moved that AMENDMENT SB028701.ALJ BE ADOPTED.

EXHIBIT (phs25a05)

Discussion:

01:07:53 Gloria Hermanson, Life Center Northwest

01:13:04 Sen. Cobb

01:13:38 Sen. Schmidt to Gloria Hermanson, Life Center Northwest

01:14:25 **Vote:** Motion carried unanimously by voice vote with SEN. ESP, WILLIAMS and GILLAN voting aye by proxy.

01:14:46 **Motion:** SEN. COBB moved that SB 287 DO PASS AS AMENDED.

01:15:01 Sen. Schmidt

01:15:22 Sen. Cobb withdrew his motion

01:15:45 SEN. SCHMIDT had a conceptual amendment on page 16, line 10 to add "who is in a health care facility."

Discussion:

01:16:04 Sen. O'Neil

01:16:47 Diana Clark

01:17:17 **Motion:** SEN. MURPHY moved that the CONCEPTUAL AMENDMENT BE ADOPTED.

01:17:29 **Vote:** Motion carried unanimously by voice vote with SEN. ESP and SEN. GILLAN voting aye by proxy.

01:17:58 **Motion:** SEN. COBB moved that SB 287 DO PASS AS AMENDED.

Discussion:

01:18:08 Sen. Moss

01:18:41 **Vote:** Motion carried 8-1 by voice vote with SEN. ESP voting no by proxy. SEN. GILLAN voted aye by proxy.

EXECUTIVE ACTION ON SB 182

01:19:34 **Motion:** SEN. COBB moved that SB 182 BE TABLED.

01:17:08 Sen. Cobb

01:20:25 **Vote:** Motion carried unanimously by voice vote with SEN. ESP and SEN. GILLAN voting aye by proxy.

EXECUTIVE ACTION ON SB 140

01:21:6 **Motion:** SEN. WEINBERG moved that SB 140 DO PASS.

01:21:55 **Motion:** SEN. WEINBERG moved that AMENDMENT SB014001.ALJ BE ADOPTED.

EXHIBIT (phs25a06)

01:22:15 Erin McGowan-Fincham

01:25:19 **Vote:** Motion carried unanimously by voice vote with SEN. ESP and SEN. GILLAN voting aye by proxy.

01:25:32 **Motion:** SEN. WEINBERG moved that AMENDMENT SB014002.ALJ BE ADOPTED.

EXHIBIT (phs25a07)

01:25:43 Erin McGowan-Fincham

01:26:48 Sen. Cobb to Erin McGowan-Fincham

01:28:11 Sen. Cobb to Christina Goe, Attorney, Department of Insurance

01:29:30 Sen. Weinberg to Christina Goe, Department of Insurance

01:30:47 Sen. Cobb to Christina Goe, Department of Insurance

01:31:55 Sen. O'Neil to Sen. Weinberg

01:32:28 Erin McGowan-Fincham

01:33:07 **Vote: Motion carried unanimously by voice vote.**

01:33:15 **Motion: SEN. WEINBERG moved that AMENDMENT SB014003.ALJ BE ADOPTED.**

EXHIBIT (phs25a08)

01:33:22 Erin McGowan-Fincham

01:34:43 Sen. O'Neil

01:35:01 **Vote: Motion carried 8-1 by voice vote with SEN. O'NEIL voting no. SEN. ESP and SEN. GILLAN voting aye by proxy.**

01:35:16 **Motion: SEN. COBB moved that SB 140 DO PASS AS AMENDED.**

Discussion:

01:35:27 Sen. Schmidt to Christina Goe, Department of Insurance

01:37:56 Sen. O'Neil to Sen. Weinberg

01:41:38 **Vote: Motion carried unanimously by voice vote with SEN. ESP and SEN. GILLAN voting aye by proxy.**

ADJOURNMENT

Adjournment: 4:56 P.M.

SEN. DAN WEINBERG, Chairman

PRUDENCE GILDROY, Secretary

DW/pg

Additional Exhibits:

EXHIBIT ([phs25aad.pdf](#))